

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND ELECTRIC COMPANY to Establish Market Values for and to Sell its Richmond-to-Pittsburg Fuel Oil Pipeline and Hercules Pump Station Pursuant to Public Utilities Code Sections 367(b) and 851. (U 39 M)

Application 00-05-035
(Filed May 15, 2000)

Application of SAN PABLO BAY PIPELINE COMPANY to Own and Operate the Richmond-to-Pittsburg Fuel Oil Pipeline and Hercules Pump Station as a Common Carrier Pipeline Corporation Pursuant to the Provisions of Public Utilities Code Sections 216 and 228. (U 39 M)

Application 00-12-008
(Filed December 12, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING MOTION FOR AUTHORITY TO FILE
AND MAINTAIN CONFIDENTIAL INFORMATION UNDER
SEAL AND ADOPTING PROTECTIVE ORDER**

On May 6, 2004, San Pablo Bay Pipeline Company LLC (SPBPC), Santa Clara Valley Housing Group, Inc. (SCVHG), Shell Pipeline Company LP (Shell) and Pacific Gas and Electric Company filed a First Amendment to Application (A.) 00-05-035 and A.00-12-008 (Amended Application). Contemporaneously therewith, SCVHG and Shell (the Moving Parties) filed a motion (Motion) to file under seal certain portions of that Amended Application. Specifically, the Moving Parties sought confidential treatment for the Membership Interest Purchase Agreement, identified as Attachment C to the Amended Application,

and Shell's financial statements, identified as Attachment D to the Amended Application.

The Moving Parties state that the material contains confidential, commercially sensitive information, the disclosure of which would result in substantial competitive harm to Shell and SPBPC. The Moving Parties also note that affording confidential treatment of this material is consistent with the Commission's past decisions.

The Moving Parties' motion states grounds for a protective order under Public Utilities Code Section 583 and General Order 66-C and authority there cited. The Motion is unopposed. A public hearing on the Motion is not necessary.

IT IS RULED that:

1. The Motion for Authority to File and Maintain Confidential Information Under Seal and for Adoption of a Protective Order of Santa Clara Valley Housing Group, Inc. and Shell Pipeline Company LP (Shell) is granted.

2. The Membership Interest Purchase Agreement, identified as Attachment C to the First Amendment to Application (A.) 00-05-035 and A.00-12-008 (Amended Application) and Shell's financial statements, identified as Attachment D to the Amended Application, shall remain under seal for a period of two years from the date of a final order in this proceeding. During that period, the information shall not be made accessible or disclosed to anyone other than the Commission staff except on the further order of the Commission, the Assigned Commissioner, the Assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

3. Since Shell is the party with the confidentiality interest in the sealed information, if Shell believes that additional protection is needed beyond that provided in Ruling Paragraph 2, it may file a motion stating the justification for further withholding of the information from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than one month before the expiration date.

Dated May 11, 2004, at San Francisco, California.

/s/ BERTRAM D. PATRICK

Bertram D. Patrick
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion for Authority to File and Maintain Confidential Information Under Seal and Adopting Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated May 11, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.